

IN THE UNITED STATES DISTRICT COURT  
\*FOR THE MIDDLE DISTRICT OF ALABAMA\*  
-NORTHERN DIVISION-

JAMES KELLEY MONROE, #167435  
PLAINTIFF,

\*

VS.

\* CASE NO.: 2:06-CV-928-MEF-WO

OFFICER L. THOMAS, et. al.,  
DEFENDANTS.

\*

"MOTION FOR APPOINTMENT OF COUNSEL"  
"NOTICE OF RETALIATIONS"

COMES NOW, your Plaintiff, by and through Jailhouse Lawyer, Stanley E. Permenter, and files this consolidated Motion for Appointment of Counsel and Notice of Retaliations and shows the Honorable Court:

1. Pursuant to U.S.C. 1915 this Court can appoint Plaintiff counsel upon good cause shown with extraordinary circumstances. In this Case at bar, there is good cause and extraordinary circumstances:

JAILHOUSE LAWYERS

From the beginning, James Kelley Monroe has utilized "Jailhouse Lawyers" to assist him with this litigation prosecuting his valid claims. Due to circumstances beyond his control, he has been transferred to different facilities in different circuits with different "Jailhouse Lawyers". Thus, having to utilize different "Jailhouse Lawyers" each and every time Defendants desire to transfer him (and they can transfer him on a whim) severely prejudices his case.

SPECIAL EDUCATION AND MENTAL ILLNESS

James Kelly Monroe did not finish High School, and when he did attend he was assigned to Special Education classes due to low IQ test scores and mental retardation. Moreover, James Kelly Monroe is under care of Psychiatrist and Mental Health team in prison now for his Serious Mental Illness problems.

ISSUES ARE COMPLEX

The issues in this case are complex requiring significant amount of research, and with multiple parties involved from State agents, contracted health-care and mental health-care providers, various prisoners plus the Attorney General, it will be proper for the Court to appoint James Kelly Monroe counsel. In addition, the medical terms are complex, and James Kelly Monroe is no match for Attorney General, Troy King, and the law firm "RUSHTON, STAKELY, JOHNSTON & GARRETT, PA". Accordingly, in a token of fundamental fairness this Honorable Court could appoint James Kelly Monroe counsel. (He has diligently sought assistance of counsel to no avail.)

2. Pursuant to the 1st Amendment of the United States Constitution Plaintiff files this Notice of Retaliations for him exercising the right to petition the Government for redress of his grievances. In the case at bar, the Defendants, by and through their agents and other affiliates of Alabama Department of Corrections, retaliated against your Plaintiff for filing the Complaint in this case and shows:

TRANSFERRED TO MAXIMUM CAMP (ST. CLAIR)

When this action commenced, James Kelly Monroe was incarcerated at Staton Correctional Facility in Elmore, Alabama which is a Medium Security Camp with a Security Level IV. He had Minimum Custody at the time, with a Security Level IV. (It is James Kelly Monroe's position that he should not of been at Staton, but at a Minimum Security camp.)

In February 2007, Defendants, by and through their agent and other affiliates, transferred James Kelly Monroe to St. Clair Correctional Facility in Springville, Alabama which is a Maximum Security Camp with a Security Level V. Since January 11, 2007, James Kelly Monroe has Security Level II with Minimum Custody II, too. SEE Enclosed Alabama Department of Corrections Inmate Summary of James Kelly Monroe as of March 2, 2007 attached hereto.

It is abundantly clear, that Defendants transferred your Plaintiff for filing this lawsuit. In the case at bar, James Kelly Monroe was stabbed by a 10 inch long Butcher knife, and suffers paranoia delusions associated with the trauma of the event. What do your Defendants do? They transfer your Plaintiff to a more violent Camp with a lot more serious violent offenders serving lengthier sentences, if not Life without Parole. Accordingly, this Honorable Court is requested to Order the Defendants transfer Plaintiff to Work-Release Camp which has hardly no violent offenders. (Note Plaintiff is non-violent offender).

WHEREFORE PREMISES CONSIDERED, James Kelly Monroe prays this Honorable Court will Appoint him Counsel to prosecute this case, and issue Injunction requiring Defendants to send Plaintiff to Work-Release Camp and any other relief the Court deems equitable and just.

FOR JUSTICE,

X James Kelly Monroe  
James Kelly Monroe 167435

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing was served upon:

ATTORNEY GENERAL  
11 South Union Street  
Montgomery, AL 36130

RUSHTON, STAKELY, JOHNSTON & GARRETT, PA  
Post Office Box 270  
Montgomery, AL 36101

By placing copy of same in U.S. Mail postage paid and properly addressed this the 11th day of July 2007.

X James Kelly Monroe

"VERIFICATION"

I declare under penalty of perjury that the foregoing was read to me by Stanley E. Permenter, Jailhouse Lawyer, and it is true and correct.

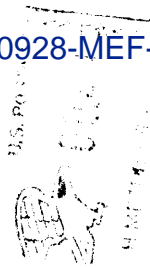
EXECUTED at Springville, Alabama this the 11th day of July 2007.

X James Kelly Monroe  
James Kelly Monroe #167435  
1000 St. Clair Road  
Springville, AL 35146

James Kelly Monroe #167435  
St. Clair Correctional Facility  
1000 St. Clair Road  
Springville, AL 35146

This correspondence is forwarded  
from an Alabama State Prison. The contents  
have not been evaluated, and the Alabama  
Department of Corrections is not responsible  
for the evaluation or content of the enclosed  
communication.

The Hon. Debra P. Hackett, Clerk  
UNITED STATES DISTRICT COURT  
Post Office Box 711  
Montgomery, AL 36101-0711



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CBR716-3

ALABAMA DEPARTMENT OF CORRECTIONS  
INMATE SUMMARY AS OF 03/02/2007INST: 067  
CODE: CRSUM

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AIS: 00167435C INMATE: MONROE, JAMES KELLY

RACE: B SEX: M

INST: 067 ST. CLAIR CORRECTIONAL FAC.

DORM: 00 JAIL CR: 000Y 10M 00D

DOB: 09/08/1967 SSN: 418-94-4089

PREVIOUS AIS: P0053939

ALIAS: MONROE, JAMES K

ALIAS: MONROE, JAMES KELLEY

ALIAS: MONROE, JAMES KELLEY

ALIAS: MONROE, KELLY

ADM DT: 05/17/2004 DEAD TIME: 000Y 00M 00D

ADM TYP: NEW COMMITMENT - SPLIT SENTENC

STAT: REMOVED FROM SEGREGATION

\* CURRENT CUST: MIN-2 CURRENT CUST DT: 01/11/2007 PAROLE REVIEW DATE: APR 2007

\* SECURITY LEVEL: (2) TWO

SERVING UNDER ACT446 LAW IN CLASS I

INMATE IS EARNING : EARNS 75 DAYS FOR EACH 30 SERVED

CURRENT CLASS DATE: 08/27/2005

COUNTY  
FAYETTESENT DT CASE NO CRIME  
05/17/04 N04000074 FORGERY II  
BYRS PROBJL-CR  
\* 0172D 001Y 06M 00D CS

ATTORNEY FEES : \$002116 HABITUAL OFFENDER : Y

COURT COSTS : \$0000239 FINES : \$0000000

TUSCALOOSA 10/27/04 N04001092 CRIM POSS FORGED INSTR II RESTITUTION : \$0004549  
CT 1 0300D 015Y 00M 00D CC

ATTORNEY FEES : \$000350 HABITUAL OFFENDER : N

COURT COSTS : \$0000257 FINES : \$0000000

TUSCALOOSA 10/27/04 N04001092 FORGERY II RESTITUTION : \$0000105  
CT 2 0300D 015Y 00M 00D CCTUSCALOOSA 10/27/04 N04001091 UNLAW BREAKING AND ENTERIN RESTITUTION : \$0000105  
CT 1 0300D 015Y 00M 00D CC

ATTORNEY FEES : \$000350 HABITUAL OFFENDER : Y

COURT COSTS : \$0000257 FINES : \$0000000

TUSCALOOSA 10/27/04 N04001091 THEFT OF PROPERTY II RESTITUTION : \$0000105  
CT 2 0300D 015Y 00M 00D CC

ATTORNEY FEES : \$000350 HABITUAL OFFENDER : Y

COURT COSTS : \$0000257 FINES : \$0000000

TUSCALOOSA 10/27/04 N04001090 FORGERY II RESTITUTION : \$0000105  
0300D 015Y 00M 00D CC

ATTORNEY FEES : \$000350 HABITUAL OFFENDER : Y

COURT COSTS : \$0000257 FINES : \$0000000

TUSCALOOSA 10/27/04 N04002299 CRIM POSS FORGED INSTR II RESTITUTION : \$0000105  
0300D 015Y 00M 00D CC

ATTORNEY FEES : \$000350 HABITUAL OFFENDER : Y

COURT COSTS : \$0000257 FINES : \$0000000

TUSCALOOSA 10/27/04 N04002298 CRIM POSS FORGED INSTR II RESTITUTION : \$0000055  
0300D 015Y 00M 00D CC

ATTORNEY FEES : \$000350 HABITUAL OFFENDER : N

COURT COSTS : \$0000257 FINES : \$0000000

RESTITUTION : \$0000080

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